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AUG 16 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : McVay et al.
Title : VARIABLY CONFIGURED EXERCISE DEVICE
Application No. : 10/758,448
Filing Date : January 15, 2004
Confirmation No. : 5624
Docket No. : 23156-151

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

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Examiner Lori Baker Amerson at the United States Patent and Trademark Office

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Christina R. Correll

Typed or printed name of person signing Certificate

Associated Papers:

1. Transmittal Form (1 Page);
2. Supplemental Information Disclosure Statement (2 Pages); and
3. PTO/SB08A (1 Page).

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PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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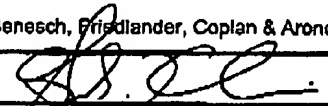
Total Number of Pages in This Submission

Application Number	10759,448
Filing Date	01/15/2004
First Named Inventor	McVay et al.
Art Unit	3784
Examiner Name	Amerson, L.
Attorney Docket Number	23156-151

ENCLOSURES (Check all that apply)

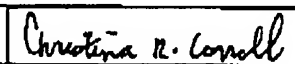
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Benesch, Friedlander, Coplan & Aronoff LLP		
Signature			
Printed name	Gregory S. Kolocouris		
Date	August 16, 2005	Reg. No.	47,714

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Christina R. Cornell	Date	August 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of : McVay et al.
Application No. : 10/758,448
Filing Date : January 15, 2004
Docket No. : 23156-151
Confirmation No. : 5624
Title : **VARIABLY CONFIGURED EXERCISE DEVICE**

M.S. Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Examiner:

1. This Supplemental Information Disclosure Statement ("Supplemental IDS") is filed in accordance with 36 C.F.R. §§ 1.56, 1.97 and 1.98. The items listed on the enclosed Form PTO/SB/08A may be deemed to be pertinent to the above-referenced application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

2. Pursuant to 37 C.F.R. § 1.97(g), the filing of this Supplemental IDS shall not be construed as a representation that a search has been made.

3. Pursuant to 37 C.F.R. § 1.97(h), the filing of this Supplemental IDS shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

4. Pursuant to 37 C.F.R. § 1.97(c) this Supplemental IDS is being filed *after* the period specified in 37 C.F.R. § 1.97(b), but *before* the mailing date of either: a Final Office Action under C.F.R. § 1.113 or a Notice of Allowance under C.F.R. § 1.311, whichever occurs first. Accordingly, this Supplemental IDS is accompanied by:

(X) the Statement as specified in C.F.R. § 1.97(e); or

() the fee set forth in C.F.R. § 1.17(p). A fee is due for consideration of this Supplemental IDS and the fee is paid below.

STATEMENT:

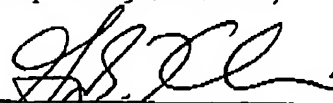
The undersigned hereby certifies that no item of information contained in this Supplemental IDS was cited in a communication from a foreign patent office in a counterpart foreign application, or to the undersigned's knowledge, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than 3 months prior to the filing of this Supplemental IDS.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 02-2051, identifying our Docket No. 23156-151.

Respectfully Submitted,

Dated: August 16, 2005

By:


Gregory S. Kolocouris
Reg. No. 47,714

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PTO/SB/DBA (07-05)

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Complete If Known

(Use as many sheets as necessary)

Application Number	10/758,448
Filing Date	01/15/2004
First Named Inventor	McVay et al
Art Unit	3764
Examiner Name	Amerson, L
Attorney Docket Number	23156-151

[illegible][illegible]

Date	
Considered	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PAGE 5/5 * RCVD AT 8/16/2005 4:34:00 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-610 * DNIS:8729306 * CSID:216 363 4607 * DURATION (mm:ss):01:38, PAGE 05 **